

Complaint for Lanesha Murphy

Lanesha Murphy

62 Summer Brook Court

Blythewood, SC 29016

Plaintiff,

vs.

3M Company

3M Center

St. Paul, MN 55144

Defendant.

RCVD - USDC COLA SC
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CIVIL ACTION NO. Case Number

COMPLAINT

INTRODUCTION

This is an action for damages related to defective earplugs provided by Defendant 3M Company, which caused Plaintiff Lanesha Murphy to suffer hearing loss and other injuries.

JURISDICTION AND VENUE

This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332, as the amount in controversy exceeds \$75,000, exclusive of interest and costs, and the parties are citizens of different states.

Venue is proper in this District under 28 U.S.C. § 1391, because the events giving rise to the claim occurred in this District, and the Defendant does business in this District.

PARTIES

Plaintiff Lanesha Murphy is an individual residing at 62 Summer Brook Court, Blythewood, SC 29016.

Defendant 3M Company is a corporation with its principal place of business at 3M Center, St. Paul, MN 55144.

FACTUAL ALLEGATIONS

1. Plaintiff Lanesha Murphy used 3M Combat Arms Earplugs Version 2 (CAEv2) during her military service.
2. The earplugs were defectively designed and failed to protect Plaintiff from hearing damage.
3. As a result of using these defective earplugs, Plaintiff has suffered significant hearing loss and other related injuries.
4. Defendant 3M was aware of the defects in the earplugs but failed to adequately warn users of the risks.
5. Plaintiff has incurred medical expenses, lost wages, and other damages as a result of her hearing loss.

CLAIMS FOR RELIEF

COUNT I: Negligence

Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 5 as though fully set forth herein.

Defendant owed a duty to design, manufacture, and distribute earplugs that were safe for their intended use. Defendant breached this duty by providing defective earplugs, resulting in Plaintiff's injuries.

COUNT II: Strict Liability

Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 8 as though fully set forth herein.

Defendant is strictly liable for the defective design and manufacture of the earplugs, which directly caused Plaintiff's injuries.

COUNT III: Breach of Warranty

Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 11 as though fully set forth herein.

Defendant breached its express and implied warranties by providing earplugs that were not fit for their intended purpose and were unsafe.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in favor of Plaintiff and against Defendant as follows:

A. Awarding Plaintiff compensatory damages in an amount of \$500,000 to be determined at trial; B. Awarding Plaintiff punitive damages of \$300,000; C. Awarding Plaintiff pre- and post-judgment interest; D. Awarding Plaintiff reasonable attorneys' fees and costs; E. Granting such other and further relief as the Court deems just and proper.

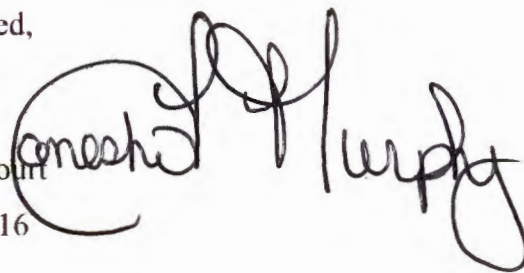
DATED this August 8, 2024.

Respectfully submitted,

Lanesha Murphy

62 Summer Brook Court
Blythewood, SC 29016

Plaintiff

A handwritten signature in black ink, appearing to read "Lanesha Murphy", is written over the printed name and address of the plaintiff.